



STATE OF RHODE ISLAND
OFFICE OF GOVERNOR DANIEL J. McKEE

April 5, 2023

The Honorable Evan P. Shanley
Chair, House Committee on State Government & Elections
House Lounge, Rhode Island State House
Providence, RI 02903

Re: 2023-H 5969

Dear Chairman Shanley:

I write in opposition to H 5969, An Act Relating to Public Property Works – Narragansett Indian Land Management Corporation (the Bill). The Act would “withdraw[] those parts of the 1978 Rhode Island Indian Claims Settlement Act which are inconsistent with the provisions of this chapter . . .” Under the Act, the State would also acknowledge the Narragansett Indian Tribe “as the aboriginal people of this land, sovereign to the territory of what is now known as Rhode Island.” Finally, the Act would repeal portions of the Narragansett Indian Land Management Corporation Act that place conditions on the use of the Tribe’s Settlement Lands and subjects those lands to the civil and criminal laws of the State and the Town of Charlestown.

First and foremost, tribal sovereignty is a matter of federal law, not state law. In Rhode Island, the allocation of sovereignty among the Tribe, the State and the United States is governed by an act of Congress – the Rhode Island Indian Claims Settlement Act of 1978 (the Settlement Act). The Settlement Act establishes the extent and contours of tribal sovereignty in Rhode Island. The State can neither add to nor withdraw from the terms of the Settlement Act, as the Bill purports to do; only Congress may change the Settlement Act. And, while the State acknowledges the Narragansett as aboriginal people of this land, the parameters of the Tribe’s “sovereign[ty] to the territory of what is now known as Rhode Island” is prescribed by federal law alone.

RHODE ISLAND STATE HOUSE, PROVIDENCE, RHODE ISLAND 02903

Honorable Evan P. Shanley

April 5, 2023

Page 2

Second, the Narragansett Indian Land Management Corporation Act contains the terms of the acquisition and transfer of the Settlement Lands from the Land Management Corporation to its successor, the Narragansett Indian Tribe, including various restrictions and conditions placed upon those lands. When the Corporation transferred all of its rights, title and interest in the Settlement Lands to the Tribe, those conditions ran with the land. Selective repeal of portions of the Land Management Act which enumerate these conditions will likely muddy the respective rights of the Tribe and the State in connection with the Settlement Lands.

Sincerely,



Claire Richards
Executive Counsel

cc: Honorable Members of the House Committee on State Government & Elections
Honorable Brianna E. Henries
Nicole McCarty, Esq.